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(Great Britain)

Arbitration

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TORY RECORD AND LABOUR POLICY

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ARBITRATION

Tory Record and Labour Policy

TO abolish war: to abolish poverty: those are the two most pressing objects of Labour's policy.

For the prevention of war nothing is more important than the full acceptance in advance of the principle of Arbitration. Not that Arbitration is sufficient of itself to ensure either peace or justice: but it is an indispensable condition of both.

What has been the Tory Government's record as regards arbitration, and what is Labour's policy?

THE TORY RECORD.

The Tory Government have deliberately rejected every single one of the many opportunities that have been offered for extending our arbitration engagements.*

Repeatedly they have preached to others the advantage of their accepting pacific settlement as an obligation: Lord Cushendun has even had the effrontery to urge at Geneva that every State should sign the Optional Clause—except Great Britain.

YET THE GOVERNMENT HAVE SO PERSISTENTLY REFUSED TO MOVE A YARD IN THIS DIRECTION THEMSELVES THAT THEY ARE NOW JUSTLY REGARDED THROUGHOUT EUROPE AS HAVING BEEN THE CHIEF OBSTACLE IN THE WAY OF ADVANCE.

* In the Mosul case, the Government did undertake, after the dispute had arisen, to accept a pacific settlement, and they have submitted several minor disputes to the Permanent Court of International Justice.

The Covenant.

When President Wilson first drafted the League Covenant, he provided that the signatories should accept in advance a method of peaceful settlement for all their international disputes of whatever kind. The idea was abandoned, and the Covenant only provides that all such disputes must be submitted to peaceful procedure. If two League Members quarrel they must refer their dispute either to legal decision or to Conciliation by the League Council: and if the Council fails to reach a unanimous report on a dispute submitted to it, then the disputants are free to fight, after three months' further delay.

THAT IS THE FAMOUS "GAP IN THE COVENANT." YEAR AFTER YEAR THE LEAGUE HAS BEEN TRYING TO CLOSE IT. SIR AUSTEN CHAMBERLAIN STILL DECLARES THAT THIS GAP MUST BE KEPT OPEN, AND ACTUALLY LIKENS IT TO A WINDOW LETTING IN FRESH AIR.

The Optional Clause.

Right at the beginning of the League's career an opportunity arose for closing part of this gap. A Committee of the greatest jurists in the world was set to drafting the statute of the Permanent Court of International Justice: and they unanimously recommended that States which accepted the Court at all should undertake to submit their legal disputes to its judgment.

Within the admitted sphere of law, the jurists held, States ought to accept the rule of law as an obligation.

Britain and France opposed this; so the obligation was changed to an option, the Optional Clause.

SOME TWENTY NATIONS, INCLUDING GERMANY, ARE NOW BOUND BY THIS CLAUSE, AND A NUMBER MORE HAVE SIGNED IT. THE TORY GOVERNMENT STILL REFUSES.

THE LABOUR PARTY IS PLEDGED TO SIGN THE CLAUSE.

The Protocol.

Next came the Protocol, in the drafting of which the Labour Government played a leading part. That would have provided (like Wilson's first draft Covenant), for all-inclusive

peaceful settlement. If conciliation failed, the dispute would have to go to an arbitral tribunal.

THE TORY GOVERNMENT FORTHWITH REJECTED THAT, DECLARING ITS OPPOSITION TO THE PRINCIPLE OF "COMPULSORY ARBITRATION."

Locarno.

Only a few months later Sir Austen joined with the French in recommending to Germany this same principle of all-inclusive compulsory arbitration, saying that it was essential to security: and Locarno does in fact commit Germany and France, Germany and Belgium, **but not Britain,** to pacific obligations far beyond those of the Covenant.

THOSE COUNTRIES ARE BOUND TO SETTLE ALL THEIR DISPUTES BY PEACEFUL MEANS, AND ALL THEIR LEGAL DISPUTES BY LEGAL JUDGMENT: WE AVOIDED ANY SUCH OBLIGATION. SIR AUSTEN MADE US THE POLICEMAN OF A LAW TO WHICH WE DO NOT OURSELVES SUBMIT.

And then in the League Assembly he joined in recommending these same principles of Locarno as being "amongst the fundamental rules which should govern the foreign policy of every civilised nation."

Bilateral Treaties.

Meanwhile the British rejection of the Protocol had diverted but could not stop the movement towards all-in arbitration. The nations were driven to make their all-in treaties, not by the quick, simple method of a single general treaty, but in treaties two by two.

Over 30 pairs of States have made such all-in treaties since 1924.

THREE COUNTRIES, SWEDEN, SWITZERLAND AND HOLLAND, OFFERED SUCH TREATIES TO THE TORY GOVERNMENT. ALL THREE OFERS WERE REFUSED; AND THE LABOUR PARTY ONLY FOUND THIS OUT BY MEANS OF QUESTIONS IN PARLIAMENT.

The League's Model Treaty.

In February, 1927, the Labour Party submitted to the Labour and Socialist International the draft of a model all-in arbitration treaty, the object being to avoid multiplication of needlessly diverse texts and to help the spread of arbitration as fast and as far as the nations would go.

On September 11, 1927, this draft was accepted and very strongly recommended by the International.

Meanwhile, others had naturally been thinking along the same lines; and on September 14, 1927, Norway submitted a similar draft treaty to the League Assembly.

The result of this initiative was the establishment of the League's Arbitration Committee, and the outcome of this Committee's labours has been the League's Model Treaty of Pacific Settlement called the "General Act."

The League text closely resembles the Labour draft, the object of both being the same: but the League text can be accepted bit by bit or as a whole, by League members or by non-members, between pairs of States or between many States, and with or without reservations.

Both provide, in principle, that legal disputes shall be settled by legal judgment; and that non-legal disputes shall be settled, if conciliation fails, by a final arbitral decision.

THE LABOUR PARTY, AT BIRMINGHAM, CALLED FOR THE ACCEPTANCE OF THE LEAGUE'S "GENERAL ACT" AS A WHOLE, AND WITHOUT ANY RESERVATIONS THAT WOULD WEAKEN THE OBLIGATION TO SETTLE ALL DISPUTES BY PEACEFUL MEANS: THE TORY GOVERNMENT, ON THE OTHER HAND, WILL HAVE NOTHING TO DO WITH THE ACT.

The Kellogg Pact.

Lastly, the Tory Government, by means of reservations, have to a large extent stultified the effect that the Kellogg Pact should have in closing the gap in the Covenant.

The Pact itself declares that we renounce war "as an instrument of national policy."

Sir Austen Chamberlain maintains that right, claiming absolute "freedom of action" for the defence of certain (non-British) regions of the world which he refuses to specify: he says that the "welfare and integrity" of these regions "constitutes a special and vital interest for our peace and safety"

That is contrary to the fundamental principle of Art. XI. of the Covenant "that any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to **the whole League."**

The peace of these regions (e.g., the Suez Canal), should not be treated as **"our** peace," to be dealt with at our discretion, but as part of "the peace of nations" for which we share the responsibility.

Moreover, Sir Austen has accepted another reservation reviving the anarchic pre-League doctrine that we are free "at all times," "regardless of treaty provisions," to decide entirely for ourselves "whether circumstances require recourse to war in self-defence."

A REAL DISTINCTION CAN BE DRAWN BETWEEN AGGRESSION AND JUSTIFIABLE SELF-DEFENCE: BUT IF, DESPITE THE COVENANT, WE ARE TO BE FREE AT ALL TIMES TO GO TO WAR WHENEVER WE ALLEGE SELF-DEFENCE AS OUR MOTIVE, WE SHALL BE RETURNING TO THE OLD INTERNATIONAL ANARCHY. THE RESERVATIONS OF THE TORY GOVERNMENT NOT ONLY MAKE NONSENSE OF THE PACT; THEY CONFLICT WITH THE BASIC PRINCIPLES OF THE COVENANT ITSELF.

THE ISSUE.

The issue is simple. This is not a problem too complex for any but the experts, but a plain question of principle, on which every voter can and should decide.

Do you hold that we ought to give no undertakings in advance as to peaceful settlement of our international disputes? Should we insist that other nations must just trust us to do "the right thing" when a crisis arises? Should we keep our

hands free (subject to the Covenant and what remains of the Kellogg Pact) to exploit war and the threat of war and the threat of deadlock, as a means of gaining our own ends regardless of any impartial judgment? Is that your choice for your country?

Or do you hold, on the other hand, that that way is the way of anarchy, the way of militarism, a way that England—once the pioneer of arbitration—ought never to be treading?

Do you join with Labour—with all the Labour parties of the world—in saying that the judgment of reason should be accepted in advance, when blood is cool, not waiting till dispute arises and passions are hot?

Labour says, "even if you do choose ordeal by battle, you will still have to come to reason in the end; but by that time you will be either unreasonable or dead. Join us now in accepting the saving principle of all-inclusive peaceful settlement of international disputes."

If you think it intolerable that our country should be the very last laggard in this race, then

VOTE LABOUR.

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